Amendments to the Claims

The listing of claims will replace all prior versions, and listings of claims in the application.

Listing of Claims:

1. (Currently Amended) A method of allocating a player's contribution in a gaming apparatus between a <u>first game provided at a gaming machine having a designed return to player (RTP) and a second linked game</u> ~~plurality of games~~, the method comprising:

a) receiving a contribution from a ~~user~~ <u>player</u>;

~~b) splitting the contribution into a number of parts in accordance with a predetermined ratio;~~

<u>b</u> ~~e)~~ allocating <u>a part</u> ~~at least one of the parts~~ of the contribution to ~~one of the games~~ <u>the second game in accordance with a predetermined ratio</u>;

<u>c</u> ~~d)~~ measuring ~~a performance of the gaming apparatus~~ <u>an actual return to player of the gaming machine</u>; and

<u>d</u> ~~e)~~ modifying the predetermined ratio ~~in response to the measured performance of the gaming apparatus~~ <u>to determine a modified ratio as a function of the actual return to player</u>.

2. Canceled.

3. Canceled.

4.   (Currently Amended) The method according to claim 1, ~~3~~ in which the modification of the ratio is proportional to the difference in designed return to player ~~performance~~ and actual ~~performance~~ return to player.

5.   (Currently Amended) The method according to ~~any preceding~~ claim 1, in which the modified ratio I_n is determined in accordance with the formula:

$$I_n = I_{n-1} + \left[\frac{RTP - P/T}{Q} \right]$$

where RTP is the designed performance, T is ~~the~~ an amount of total revenue, P is ~~the~~ an amount of total prizes and Q is a control variable.

6.   (Currently Amended) The method according to claim 1 in which the modified ratio I_n is determined in accordance with the formula:

$$I_n = I_0 + \left[\frac{RTP - P/T}{Q} \right]$$

where I_0 is the base ratio, RTP is the designed performance, T is ~~the~~ an amount of total revenue, P is ~~the~~ an amount of total prizes and Q is a control variable.

7.   (Previously Amended) The method according to claim 1 in which the predetermined ratio is modified periodically.

8.   (Previously Amended) The method according to claim 1 in which the predetermined ratio is modified in real time.

9. (Previously Amended) The method according to claim 1 in which the predetermined ratio is modified in response to the occurrence of non-time base criteria.

10. (Previously Amended) The method according to claim 1 in which the predetermined ratio is modified within an upper limit.

11. (Previously Amended) The method according to claim 1 in which the predetermined ratio is modified within a lower limit.

12. (Currently Amended) Apparatus for allocating a player's contribution in a gaming apparatus between a ~~plurality of games~~ first game provided at a gaming machine having a designed return to player (RTP) and a second linked game, comprising:

    a) input means for receiving a contribution from a ~~user~~ player;

    ~~b) splitting means for splitting the contribution into a number of parts in accordance with a predetermined ratio;~~

    <u>b</u> ~~c~~) allocating <u>a part</u> ~~means for allocating at least one of the parts~~ of the contribution to ~~one of the games~~ <u>the second game in accordance with a predetermined ratio</u>; and

    <u>c</u> ~~d~~) control means <u>for monitoring an actual return to player of the gaming machine, and</u> operable in response to the <u>actual return to player</u> ~~measured performance of the gaming apparatus~~ to modify the predetermined ratio.

13. Canceled.

14.   Canceled.

15.   (Currently Amended) Apparatus according to claim 12, ~~14~~ in which the modification of the ratio is proportional to the difference in designed ~~performance~~ return to player and actual ~~performance~~ return to player.

16.   (Currently Amended) Apparatus according to claim 12 in which the modified ratio I_n is determined in accordance with the formula:

$$I_n = I_{n-1} + \left[\frac{RTP - P/T}{Q} \right]$$

where RTP is the designed performance, T is ~~the~~ an amount of total revenue, P is ~~the~~ an amount of total prizes and Q is a control variable.

17.   (Currently Amended) Apparatus according to claim 12 in which the modified ratio I_n is determined in accordance with the formula:

$$I_n = I_O + \left[\frac{RTP - P/T}{Q} \right]$$

where I_0 is the base ratio, RTP is the designed performance, T is ~~the~~ an amount of total revenue, P is ~~the~~ an amount of total prizes and Q is a control variable.

18.   (Previously Amended) Apparatus according to claim 12 in which the control means is operable to modify the predetermined ratio periodically.

19. (Previously Amended) Apparatus according to claim 12 in which the control means is operable to modify the predetermined ratio real time.

20. (Previously Amended) Apparatus according to claim 12 in which the control means is operable to modify the predetermined ratio in response to the occurrence of time independent criteria.

21. (Previously Amended) Apparatus according to claim 12 in which the control means is operable to modify the predetermined ratio within an upper limit.

22. (Previously Amended) Apparatus according to claim 12 in which the control means is operable to modify the predetermined ratio within a lower limit.

23. (Currently Amended) Apparatus for use with a gaming machine to control the proportion of a user's contribution to a <u>linked</u> game, the apparatus comprising:

performance measuring means operable to measure the ~~performance~~ of the gaming machine;

control means operable in response to the ~~performance~~ <u>actual return to player</u> of the gaming machine to modify the proportion of the user's contribution to the <u>linked</u> game; and

communication means for communicating the modified proportion to the gaming machine.